

Resolution No. 2016-02

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE LEMON GROVE SUCCESSOR AGENCY
ADOPTING AN AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1,
2017 THROUGH JUNE 30, 2017, PURSUANT TO CALIFORNIA HEALTH & SAFETY CODE SECTION
34179, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF**

WHEREAS, the Lemon Grove Community Development Agency ("Agency") was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health & Safety Code Section 33000, *et seq.*, ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to actions of the City Council of the City of Lemon Grove; and

WHEREAS, Assembly Bill X1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which laws caused the dissolution and wind down of all redevelopment agencies ("Dissolution Act"); and

WHEREAS, on December 29, 2011, in the petition California Redevelopment Association v. Matosantso, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012, under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by resolution considered by the City Council at an open public meeting the City chose to become and serve as the "Successor Agency" to the dissolved Agency under the Dissolution Act; and

WHEREAS, as of and on February 1, 2012, the City serves and acts as the Successor Agency and is performing its functions as the successor agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board"); and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

WHEREAS, pursuant to Section 34179, the Successor Agency's Oversight Board has been formed and has met; and

WHEREAS, the Amended ROPS for the period January 1, 2017 through June 30, 2017 must be submitted to the County of San Diego and the State of California by October 1, 2017; and

WHEREAS, the Amended ROPS for the period January 1, 2017 through June 30, 2017 has been considered by the Oversight Board; and

WHEREAS, the City of Lemon Grove has had to loan the Successor Agency cash in order for it to fulfill its fiscal obligations and has a State Notice of Completion allowing the City to be repaid; and

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Lemon Grove Successor Agency does hereby find and determine as follows:

Section 1. The Oversight Board approves the Amended ROPS for the period of January 1, 2017 through June 30, 2017.

Section 2. The Oversight Board authorizes the Successor Agency to transmit the Amended ROPS to the San Diego County Auditor-Controller, the California Department of Finance, and the California State Controller's Office.

Section 3. The Secretary of the Successor Agency is directed to post the Amended ROPS on the City/Successor Agency website pursuant to the Dissolution Act.

Section 4. This resolution shall become effective after transmittal of this resolution with the Amended ROPS attached to the California Department of Finance.

APPROVED AND ADOPTED this 27th day of September 2016.

Chair

ATTEST:

Secretary

I, Laureen Ryan, Secretary of the Oversight Board of the Lemon Grove Successor Agency, DO HEREBY CERTIFY that Resolution No. 2016-02 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 27th day of September 2016, and that it was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT: